

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P O Box 68
Kremmling, CO 80459**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-LLCON02000-2013-0006-CX

A. Background

CASEFILE/PROJECT NUMBER: COC-34262 and COC-73036

PROJECT NAME: Diversified Assignments of COC-73036 and COC-34262

**LEGAL DESCRIPTION: COC-73036:
T. 7N., R. 81W., Section 36: NW, 6th P.M.**

**COC-34262:
T. 10N., R. 80W., Section 31: Lot 4, 6th P.M.
T. 9N., R. 81W., Section 1: Lot 1, 2, 6th P.M.**

APPLICANT: Foundation Energy Fund IV-B Holding, LLC

DESCRIPTION OF PROPOSED ACTION: Foundation Energy Fund IV-B Holding, LLC has applied for the assignments of COC-34262 and COC-73036, from Diversified Operating Company.

COC-34262 is a road right-of-way (ROW) for access to the Alkali Lake Unit well. The ROW is 30ft. wide and 2640 ft. long encompassing 2.78 acres. The ROW expires December 31, 2041.

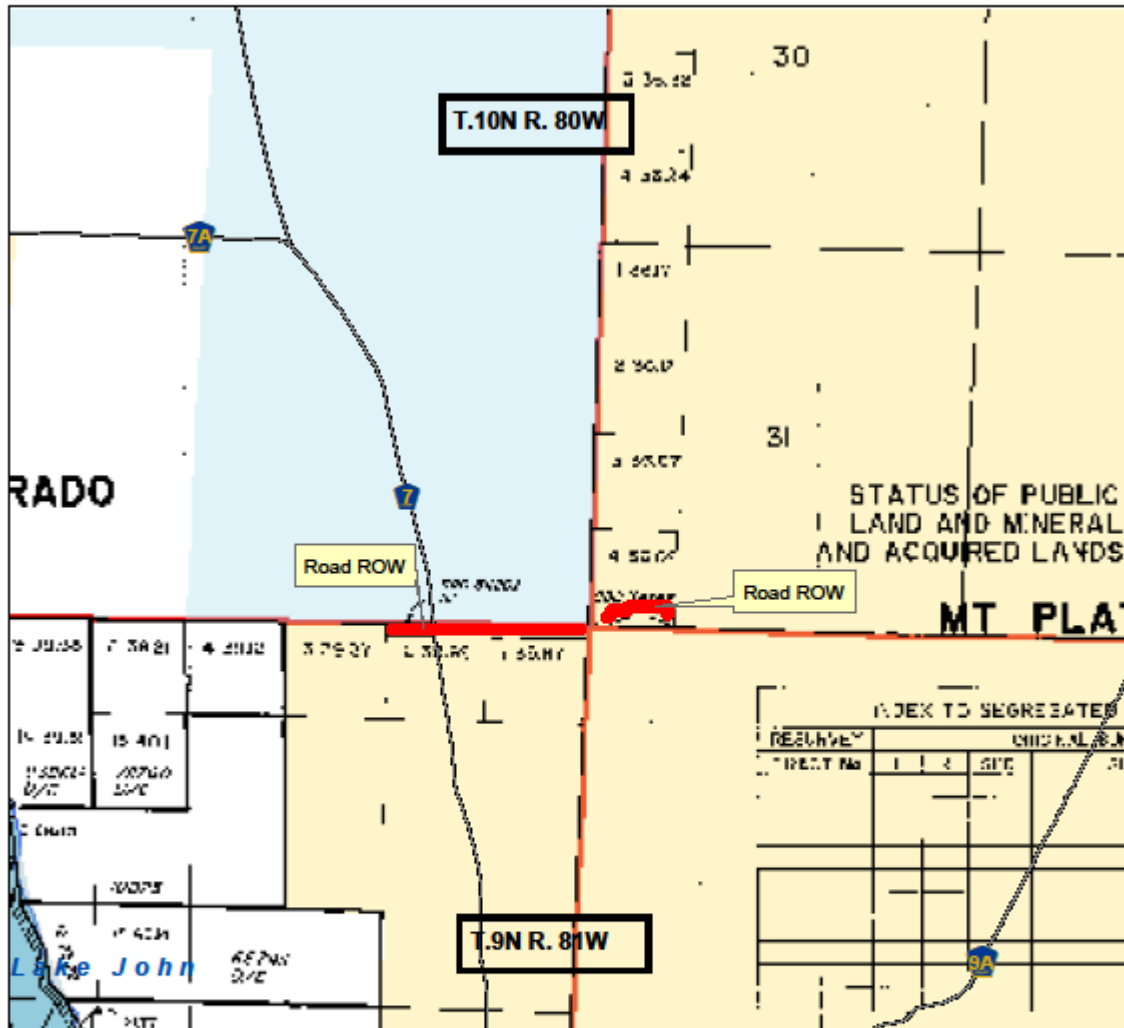
COC-73036 is a road and well pad ROW. The ROW is 18 ft. wide and 300 ft. long encompassing 0.12 acres. The ROW expires December 31, 2038.

There would be no improvements.

DOI-BLM-LLCON02000-2013-0006-CX



Diversified Operating Company Road ROW COC-34262



- Legend
- 24k USGS Quad Index
 - Land Status
 - Land Status
 - Bureau of Land Mgt
 - Division of Wildlife
 - National Park
 - US Forest Service
 - National Wildlife Refuge
 - Private
 - State
 - State Forest

1:24,000



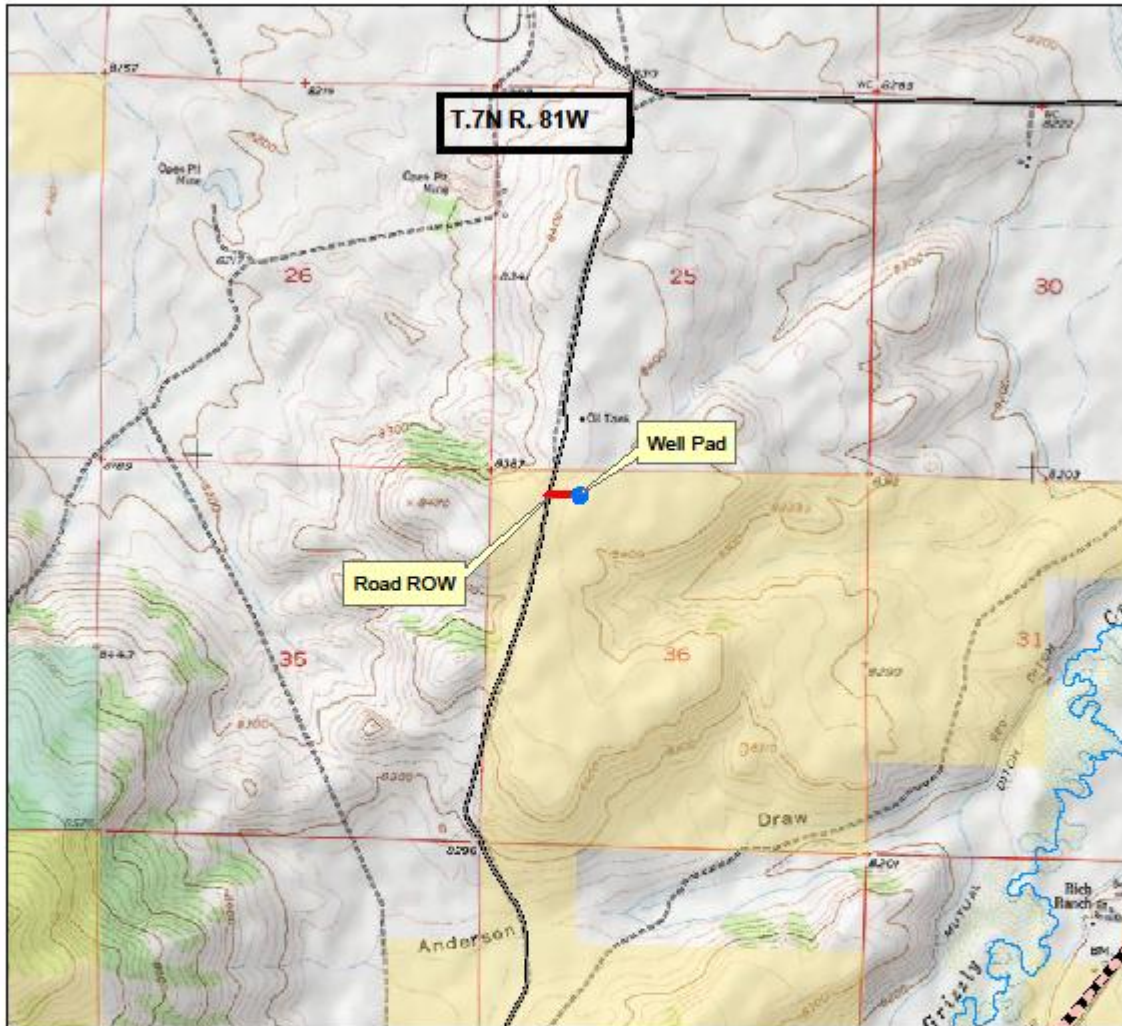
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Annie Sperandio, 12-13-2011
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Diversified Operating Company **Road and Well Pad ROW** **COC-73036**



Legend
Land Status
Land Status
 Bureau of Land Mgt
 Division of Wildlife
 National Park
 US Forest Service
 National Wildlife Refuge
 Private
 State
 State Forest

1:24,000



0 0.125 0.25 0.5 0.75 Miles

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Annie Sperando, 1-14-2013
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PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) the following plan:

Name of Plan: the Kremmling Resource Management Plan (RMP), Record of Decision

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Page 12

Decision Language: Provide the opportunity to utilize public lands for development of facilities which benefit the public, while considering environmental and agency concerns.

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E., (9): Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the bureau of office.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X

Extraordinary Circumstance	YES	NO
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the Kremmling Field Office interdisciplinary team on 1/14/2013. A complete list of resource specialists who participated in this review is available upon request from the Kremmling Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Bill Wyatt	Archaeologist	Cultural Resources, Native American Tribal Consultation	1/14/2013
Megan McGuire	Wildlife Biologist	Special Status Plant/Wildlife Species	01/14/13

REMARKS: None

MITIGATION: None

COMPLIANCE PLAN: On-going compliance inspections and monitoring would be conducted by the BLM Kremmling Field Office staff during and after construction. The operator would be notified of compliance related issues in writing, and depending on the nature of the issue(s), would be provided 30 days to resolve such issues.

NAME OF PREPARER: Annie Sperandio

NAME OF ENVIRONMENTAL COORDINATOR: Susan Cassel

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E(12). This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Susan Cassel_____

Associate Field Manager

DATE SIGNED: 1/15/13

ATTACHMENTS: None

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P O Box 68
Kremmling, CO 80459**

DECISION RECORD

PROJECT NAME: Diversified Assignments of COC-73036 and COC-34262

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-LLCON02000-2013-0006-CX

DECISION

It is my decision to implement the Proposed Action, DOI-BLM-LLCON02000-2013-0006-CX, authorizing the assignments of COC-34262 and COC-73036.

Mitigation Measures: None

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Federal Land Management and Policy Act, the Endangered Species Act, and the National Historic Preservation Act. It is also in conformance with the December 19, 1984; Updated February 1999 Kremmling Resource Management Plan (RMP).

PUBLIC INVOLVEMENT: The CX will be available for a formal 30-day public comment period when posted on the Kremmling Field Office's internet website.

RATIONALE

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E(9). This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

ADMINISTRATIVE REMEDIES

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs

must also be served upon the Regional Solicitor, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's Kremmling Field Office internet website.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Susan Cassel_____
Associate Field Manager

DATE SIGNED: 1/15/13